

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

TAMMY M. STEVENS,)
)
Plaintiff,)
)
v.) CIVIL ACTION NO.
)
SIMPLEXGRINNELL, LP,) 05-0068-BH-B
)
Defendant.)

ORDER

The defendant, SimplexGrinnell, LP, has submitted their bill of cost (Doc. 33) which establishes that it incurred \$548.60 in reimbursable expenses, including \$510.80 for plaintiff's deposition and \$37.80 for exemplification of papers. Plaintiff's sole objection is the contention that defendant's petition for costs violates the automatic stay entered pursuant to 11 U.S.C. § 362 when plaintiff filed her now pending Chapter 7 bankruptcy petition. The Court is not satisfied that defendant's mere compliance with the Local Rules of this Court concerning the submission of a bill of costs upon this Court having taxed costs against the plaintiff constitutes a violation of 11 U.S.C. § 362. The Court has, however, orally inquired of defendant's counsel and been advised that defendant, in view of plaintiff's objection, will not seek to collect the costs at issue. The Court nonetheless concludes that the costs incurred by the defendant as set forth in defendant's bill of cost are properly taxable against the plaintiff. It is therefore

ORDERED that costs in the amount of \$548.60 be and are hereby taxed against the plaintiff, Tammy M. Stevens, whether or not defendant ever seeks to collect same.

DONE this 18th day of January, 2006.

s/ W. B. Hand
SENIOR DISTRICT JUDGE